

By SHARP/BROOKS
BROWN

SB. No. 235

A BILL TO BE ENTITLED

1

AN ACT

2

relating to the acquisition and disposition of land by the
3 University of Houston System.

3

4

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5

SECTION 1. Section 111.39, Texas Education Code, is amended
6 to read as follows:

6

7

Sec. 111.39. ACQUISITION AND DISPOSITION OF LAND. The board
8 may acquire by purchase, donation, or otherwise for the use of the
9 university any land and other real property necessary or convenient
10 for carrying out its purposes as a state-supported institution of
11 higher education, and may sell, exchange, lease, or otherwise
12 dispose of any land or other real property owned by or acquired for
13 the university. [~~However, the power of acquisition and disposition~~
14 ~~is restricted to the area within Harris County and the counties~~
15 ~~whose boundaries are contiguous to Harris County.] The proceeds
16 from any sale of land or other real property shall be added to the
17 capital funds of the university. No new institutions, branches, or
18 other operations of any kind shall be developed without specific
19 authorization by the legislature.~~

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SECTION 2. The importance of this legislation and the
crowded condition of the calendars in both houses create an
emergency and an imperative public necessity that the
constitutional rule requiring bills to be read on three several
days in each house be suspended, and this rule is hereby suspended,

1 and that this Act take effect and be in force from and after its
2 passage, and it is so enacted.

1 By: Sharp, Brooks S.B. No. 235
2 (In the Senate - Filed January 25, 1983; January 26, 1983,
3 read first time and referred to Committee on Education;
4 February 10, 1983, reported adversely, with favorable Committee
5 Substitute; February 10, 1983, sent to printer.)

6 COMMITTEE SUBSTITUTE FOR S.B. No. 235 By: Williams

7 A BILL TO BE ENTITLED
8 AN ACT

9 relating to the University of Houston System.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

11 SECTION 1. Section 111.01, Texas Education Code, is amended
12 to read as follows:

13 "Section 111.01. UNIVERSITY OF HOUSTON-UNIVERSITY PARK. The
14 University of Houston-University Park is a coeducational
15 institution of higher education located in the city of Houston on
16 state properties hereby designated University of Houston-University
17 Park."

18 SECTION 2. Section 111.81, Texas Education Code, is amended
19 to read as follows:

20 "Section 111.81. UNIVERSITY OF HOUSTON-CLEAR LAKE
21 [~~ESTABLISHMENT;--LOCATION~~]. There is established in Harris County,
22 as recommended by the Coordinating Board, Texas College and
23 University System, a coeducational institution of higher education
24 to be known as the University of Houston-Clear Lake [~~at-Clear-Lake~~
25 ~~City~~]. The university shall be located on land currently owned by
26 the University of Houston, either land acquired by donation under
27 Chapter 37, Acts of the 60th Legislature, Regular Session, 1967, or
28 land generally adjacent to that land and also owned by the
29 University of Houston."

30 SECTION 3. Section 111.90, Texas Education Code, is amended
31 to read as follows:

32 "Section 111.90. UNIVERSITY OF HOUSTON-DOWNTOWN
33 [~~ESTABLISHMENT;--LOCATION~~]. There is established in the City of
34 Houston a coeducational institution of higher education to be known
35 as the University of Houston-Downtown [~~College~~]. This institution
36 shall be located on land currently owned by the University of
37 Houston System."

38 SECTION 4. Chapter 111, Texas Education Code, is amended by
39 adding Subchapter G to read as follows:

40 "SUBCHAPTER G. UNIVERSITY OF HOUSTON-VICTORIA

41 "Section 111.96. ESTABLISHMENT; SCOPE. The board of regents
42 shall establish an upper-level ~~institution of higher education~~ in
43 the City of Victoria to be known as the University of
44 Houston-Victoria. The ~~institution~~ shall be organized to provide
45 for the instruction of junior, senior, and master's level students.

46 "Section 111.97. FACILITIES; GRANTS. The board of regents
47 ~~shall provide for adequate physical facilities for use by the~~
48 ~~university and may accept and administer gifts and grants for the~~
49 ~~use and benefit of the university.~~

50 "Section 111.98. COURSES; ADMINISTRATION. (a) The board of
51 regents may prescribe courses leading to ~~the customary~~ degrees and
52 adopt other rules necessary for the operation and management of the
53 ~~university.~~

54 "(b) The ~~university~~ is subject to the authority of the
55 Coordinating Board, Texas College and University System ~~as a~~
56 ~~general academic-teaching institution.~~"

57 SECTION 5. Section 111.39, Texas Education Code, is amended
58 to read as follows:

59 "Section 111.39. ACQUISITION AND DISPOSITION OF LAND. The
60 board may acquire by purchase, donation, or otherwise, for the use
61 of the University of Houston System or any institution or entity
62 under the governance, control, jurisdiction, and management of the
63 board, [~~university~~] any land and other real property necessary or
64 convenient for carrying out the [~~its~~] purposes of [~~as---a~~]
65 state-supported institutions [~~institution~~] of higher education.
66 The board [~~;-and~~] may sell, exchange, lease, or otherwise dispose of
67 any land or other real property owned by or acquired for the board
68 or any of the system institutions and entities [~~university~~].

1 [However,--the-power-of-acquisition-and-disposition-is-restricted-to
2 the-area-within-Harris-County-and-the-counties-whose-boundaries-are
3 eontiguous-to-Harris-County.] The proceeds from any sale of land
4 or other real property shall be added to the capital funds of the
5 board or the system institutions or entities [university]. No new
6 institutions, branches, or other operations of any kind shall be
7 developed without specific authorization by the legislature."

8 SECTION 6. The title of Subchapter E, Chapter 111, Texas
9 Education Code, is amended to read as follows:

10 "SUBCHAPTER E. THE UNIVERSITY OF HOUSTON-CLEAR LAKE
11 [AT-CLEAR-LAKE-CITY]"

12 SECTION 7. The title of Subchapter F, Chapter 111, Texas
13 Education Code, is amended to read as follows:

14 "SUBCHAPTER F. THE UNIVERSITY OF HOUSTON-DOWNTOWN [COLLEGE]"

15 SECTION 8. (a) The name of the University of Houston is
16 changed to the University of Houston-University Park. The name of
17 the University of Houston at Clear Lake City is changed to the
18 University of Houston-Clear Lake. The name of the University of
19 Houston-Downtown College is changed to the University of
20 Houston-Downtown.

21 (b) A reference in law or an appropriation to the former
22 name of one of the institutions whose name is changed by this Act
23 shall be considered to be a reference to the institution by the
24 name given by this Act.

25 SECTION 9. The importance of this legislation and the
26 crowded condition of the calendars in both houses create an
27 emergency and an imperative public necessity that the
28 constitutional rule requiring bills to be read on three several
29 days in each house be suspended, and this rule is hereby suspended,
30 and that this Act take effect and be in force from and after its
31 passage, and it is so enacted.

32 * * * * *

33 Austin, Texas
34 February 10, 1983

35 Hon. William P. Hobby
36 President of the Senate

37 Sir:

38 We, your Committee on Education to which was referred S.B. No. 235,
39 have had the same under consideration, and I am instructed to
40 report it back to the Senate with the recommendation that it do not
41 pass, but that the Committee Substitute adopted in lieu thereof do
42 pass and be printed.

43 Parker, Chairman

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 8, 1983

Honorable Carl A. Parker, Chairman
Committee on Education
Senate Chamber
Austin, Texas

In Re: Senate Bill No. 235
By: Sharp/Brooks

Sir:

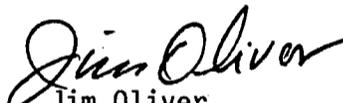
In response to your request for a Fiscal Note on Senate Bill No. 235 (relating to the acquisition and disposition of land by the University of Houston System) this office has determined the following:

The bill would make no appropriation of State funds.

The University of Houston System is now limited, by law, in its power to acquire and dispose of land or other real property. The power is restricted to "the area within Harris County and the other counties whose boundaries are contiguous to Harris County". S. B. No. 235 would remove that restriction.

The fiscal implications of the bill would depend on future decisions of the System to acquire land in counties which are now restricted. The System is required by current law to obtain authorization of the legislature before developing new institutions or branches. The only component of the System which has been established in the area outside of Harris County and the counties contiguous to Harris County is the University of Houston Victoria Center. The bill would permit acquisition of land and other real property for use by the Victoria Center, the cost of which cannot be estimated at this time.

The fiscal implications to local governments would depend on the taxable value of land that may be acquired and, thereby become exempt from local taxes, or disposed of to private owners who would return it to the tax rolls.


Jim Oliver
Director

Source: Coordinating Board
LBB Staff: JO, HS, AS

1 By: Sharp, Brooks S.B. No. 235
2 (In the Senate - Filed January 25, 1983; January 26, 1983,
3 read first time and referred to Committee on Education;
4 February 10, 1983, reported adversely, with favorable Committee
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9 relating to the University of Houston System.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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12 to read as follows:

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14 University of Houston-University Park is a coeducational
15 institution of higher education located in the city of Houston on
16 state properties hereby designated University of Houston-University
17 Park."

18 SECTION 2. Section 111.81, Texas Education Code, is amended
19 to read as follows:

20 "Section 111.81. UNIVERSITY OF HOUSTON-CLEAR LAKE
21 [ESTABLISHMENT;-LOCATION]. There is established in Harris County,
22 as recommended by the Coordinating Board, Texas College and
23 University System, a coeducational institution of higher education
24 to be known as the University of Houston-Clear Lake [at-Clear-Lake
25 City]. The university shall be located on land currently owned by
26 the University of Houston, either land acquired by donation under
27 Chapter 37, Acts of the 60th Legislature, Regular Session, 1967, or
28 land generally adjacent to that land and also owned by the
29 University of Houston."

30 SECTION 3. Section 111.90, Texas Education Code, is amended
31 to read as follows:

32 "Section 111.90. UNIVERSITY OF HOUSTON-DOWNTOWN
33 [ESTABLISHMENT;--LOCATION]. There is established in the City of
34 Houston a coeducational institution of higher education to be known
35 as the University of Houston-Downtown [College]. This institution
36 shall be located on land currently owned by the University of
37 Houston System."

38 SECTION 4. Chapter 111, Texas Education Code, is amended by
39 adding Subchapter G to read as follows:

40 "SUBCHAPTER G. UNIVERSITY OF HOUSTON-VICTORIA

41 "Section 111.96. ESTABLISHMENT; SCOPE. The board of regents
42 shall establish an upper-level institution of higher education in
43 the City of Victoria to be known as the University of
44 Houston-Victoria. The institution shall be organized to provide
45 for the instruction of junior, senior, and master's level students.

46 "Section 111.97. FACILITIES; GRANTS. The board of regents
47 shall provide for adequate physical facilities for use by the
48 university and may accept and administer gifts and grants for the
49 use and benefit of the university.

50 "Section 111.98. COURSES; ADMINISTRATION. (a) The board of
51 regents may prescribe courses leading to the customary degrees and
52 adopt other rules necessary for the operation and management of the
53 university.

54 "(b) The university is subject to the authority of the
55 Coordinating Board, Texas College and University System as a
56 general academic-teaching institution."

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60 board may acquire by purchase, donation, or otherwise, for the use
61 of the University of Houston System or any institution or entity
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63 board, [university] any land and other real property necessary or
64 convenient for carrying out the [its] purposes of [as---a]
65 state-supported institutions [institution] of higher education.
66 The board[,-and] may sell, exchange, lease, or otherwise dispose of
67 any land or other real property owned by or acquired for the board
68 or any of the system institutions and entities [university].

1 ~~[However, the power of acquisition and disposition is restricted to~~
2 ~~the area within Harris County and the counties whose boundaries are~~
3 ~~contiguous to Harris County.]~~ The proceeds from any sale of land
4 or other real property shall be added to the capital funds of the
5 board or the system institutions or entities [university]. No new
6 institutions, branches, or other operations of any kind shall be
7 developed without specific authorization by the legislature."

8 SECTION 6. The title of Subchapter E, Chapter 111, Texas
9 Education Code, is amended to read as follows:

10 "SUBCHAPTER E. THE UNIVERSITY OF HOUSTON-CLEAR LAKE
11 [~~AT-CLEAR-LAKE-CITY~~]"

12 SECTION 7. The title of Subchapter F, Chapter 111, Texas
13 Education Code, is amended to read as follows:

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16 changed to the University of Houston-University Park. The name of
17 the University of Houston at Clear Lake City is changed to the
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22 name of one of the institutions whose name is changed by this Act
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24 name given by this Act.

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26 crowded condition of the calendars in both houses create an
27 emergency and an imperative public necessity that the
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29 days in each house be suspended, and this rule is hereby suspended,
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31 passage, and it is so enacted.

32 * * * * *

33 Austin, Texas
34 February 10, 1983

35 Hon. William P. Hobby
36 President of the Senate

37 Sir:

38 We, your Committee on Education to which was referred S.B. No. 235,
39 have had the same under consideration, and I am instructed to
40 report it back to the Senate with the recommendation that it do not
41 pass, but that the Committee Substitute adopted in lieu thereof do
42 pass and be printed.

43 Parker, Chairman

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 8, 1983

Honorable Carl A. Parker, Chairman
Committee on Education
Senate Chamber
Austin, Texas

In Re: Senate Bill No. 235
By: Sharp/Brooks

Sir:

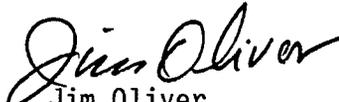
In response to your request for a Fiscal Note on Senate Bill No. 235 (relating to the acquisition and disposition of land by the University of Houston System) this office has determined the following:

The bill would make no appropriation of State funds.

The University of Houston System is now limited, by law, in its power to acquire and dispose of land or other real property. The power is restricted to "the area within Harris County and the other counties whose boundaries are contiguous to Harris County". S. B. No. 235 would remove that restriction.

The fiscal implications of the bill would depend on future decisions of the System to acquire land in counties which are now restricted. The System is required by current law to obtain authorization of the legislature before developing new institutions or branches. The only component of the System which has been established in the area outside of Harris County and the counties contiguous to Harris County is the University of Houston Victoria Center. The bill would permit acquisition of land and other real property for use by the Victoria Center, the cost of which cannot be estimated at this time.

The fiscal implications to local governments would depend on the taxable value of land that may be acquired and, thereby become exempt from local taxes, or disposed of to private owners who would return it to the tax rolls.


Jim Oliver
Director

Source: Coordinating Board
LBB Staff: JO, HS, AS

BILL ANALYSIS

PURPOSE: To grant the board of regents of the University of Houston system the power to acquire land outside Harris County and those counties contiguous to Harris County.

SUMMARY:

Section 1. Amends Section 111.39 of the T.E.C. by granting the board of the University of Houston system the authority to acquire land.

Section 2. Declares an emergency.

RULEMAKING AUTHORITY: Grants rulemaking authority to the board of the University of Houston system by permitting them to acquire land.

TT/jm
2-8-83

S.B. 235

By: Sharp/Brooks

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LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 8, 1983

Honorable Carl A. Parker, Chairman
Committee on Education
Senate Chamber
Austin, Texas

In Re: Senate Bill No. 235
By: Sharp/Brooks

Sir:

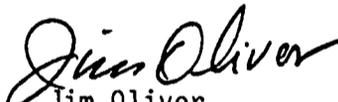
In response to your request for a Fiscal Note on Senate Bill No. 235 (relating to the acquisition and disposition of land by the University of Houston System) this office has determined the following:

The bill would make no appropriation of State funds.

The University of Houston System is now limited, by law, in its power to acquire and dispose of land or other real property. The power is restricted to "the area within Harris County and the other counties whose boundaries are contiguous to Harris County". S. B. No. 235 would remove that restriction.

The fiscal implications of the bill would depend on future decisions of the System to acquire land in counties which are now restricted. The System is required by current law to obtain authorization of the legislature before developing new institutions or branches. The only component of the System which has been established in the area outside of Harris County and the counties contiguous to Harris County is the University of Houston Victoria Center. The bill would permit acquisition of land and other real property for use by the Victoria Center, the cost of which cannot be estimated at this time.

The fiscal implications to local governments would depend on the taxable value of land that may be acquired and, thereby become exempt from local taxes, or disposed of to private owners who would return it to the tax rolls.


Jim Oliver
Director

Source: Coordinating Board
LBB Staff: JO, HS, AS

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 14, 1983

Honorable Carl A. Parker, Chairman
Committee on Education
Senate Chamber

In Re: Committee Substitute for
Senate Bill No. 235

Austin, Texas

Sir:

In response to your request for a Fiscal Note on Committee Substitute for Senate Bill No. 235 (relating to the University of Houston System) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

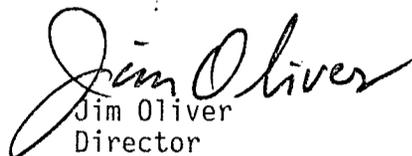
The bill, if enacted, would change the names of the existing four components of the University of Houston System. The System plans to redo all its existing signs regardless of passage of this bill, so the sign changes would not result in additional costs to the institutions or the state.

Section 4 of the Committee Substitute statutorily establishes the University of Houston Victoria Center. The University of Houston System currently operates an upper-level university (that was created by the Coordinating Board in 1973 under authority of Attorney General's Opinion No. 365, 1969) on the campus of Victoria College. Section 4 legislatively authorizes the Victoria campus, thus giving it permanence and not subject to continued Coordinating Board approval for its existence. The proposed Section 111.97 instructs the board of regents to provide for adequate physical facilities and to accept and administer gifts and grants for the use and benefit of the university. Any gift of property or buildings used for educational and general purposes would be eligible for formula funding and would be a cost to the General Revenue Fund. Currently, utility costs, building maintenance, and custodial services are \$3.74 per square foot per year.

The University of Houston System is now limited, by law, in its power to acquire and dispose of land or other real property. The power is restricted to "the area within Harris County and the other counties whose boundaries are contiguous to Harris County." Section 5 of S.B. No. 235 would remove that restriction.

The fiscal implications of Section 5 would depend on future decisions of the System to acquire land in counties which are now restricted. The System is required by current law to obtain authorization of the Legislature before developing new institutions or branches. The only component of the System which has been established in the area outside of Harris County and the counties contiguous to Harris County is the University of Houston Victoria Center. The bill would permit acquisition of land and other real property for use by the Victoria Center, the cost of which cannot be estimated at this time.

The fiscal implications to local governments would depend on the taxable value of land that may be acquired, and thereby become exempt from local taxes, or disposed of to private owners who would return it to the tax rolls.


Jim Oliver
Director

Source: Coordinating Board; University of Houston System;
LBB Staff: JO, HS, JH, WRR, BL

and changing the names of universities within the system; amending Chapter 111, Education Code, as amended, by amending Sections 111.01, 111.81, 111.90, and 111.39 and the titles of Subchapters E and F and adding Subchapter G.

C.D.C.
C.F.
e

By Sharp

S.B. No. 235

Substitute the following for S.B. No. 235:

By William

C.S.S.B. No. 235

A BILL TO BE ENTITLED

AN ACT

relating to the University of Houston System *and the powers and duties of its board of regents; providing for the creation of a new university*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 111.01, Texas Education Code, is amended to read as follows:

"Section 111.01. UNIVERSITY OF HOUSTON-UNIVERSITY PARK. The University of Houston-University Park is a coeducational institution of higher education located in the City of Houston on state properties hereby designated University of Houston-University Park."

SECTION 2. Section 111.81, Texas Education Code, is amended to read as follows:

"Section 111.81. UNIVERSITY OF HOUSTON-CLEAR LAKE [ESTABLISHMENT; -LOCATION]. There is established in Harris County, as recommended by the Coordinating Board, Texas College and University System, a coeducational institution of higher education to be known as the University of Houston-Clear Lake [at-Clear-Lake City]. The university shall be located on land currently owned by the University of Houston, either land acquired by donation under Chapter 37, Acts of the 60th Legislature, Regular Session, 1967, or land generally adjacent to that land and also owned by the University of Houston."

SECTION 3. Section 111.90, Texas Education Code, is amended to read as follows:

*, as amended,
C.F.*

2/10/83
2/17/83

1 "Section 111.90. UNIVERSITY OF HOUSTON-DOWNTOWN [ESTABLISHMENT,
2 LOCATION]. There is established in the City of Houston a
3 coeducational institution of higher education to be known as the
4 University of Houston-Downtown [College]. This institution shall
5 be located on land currently owned by the University of Houston
6 System."

7 SECTION 4. Chapter 111, Texas Education Code, is amended by
8 adding Subchapter G to read as follows:

9 "SUBCHAPTER G. UNIVERSITY OF HOUSTON-VICTORIA

10 "Section 111.96. ESTABLISHMENT; SCOPE. The board of regents
11 shall establish an Center ~~upper-level~~ ~~institution of higher education~~ in
12 the city of Victoria to be known as the University of
13 Houston-Victoria. The Center ~~institution~~ shall be organized to provide
14 for the instruction of junior, senior, and master's level students.

15 "Section 111.97. FACILITIES; GRANTS. The board of regents ~~shall~~
16 ~~provide for adequate physical facilities for use by the university~~
17 ~~and may accept and administer gifts and grants for the use and~~
18 benefit of the Center ~~university~~.

19 "Section 111.98. COURSES; ADMINISTRATION. (a) The board of
20 regents may prescribe courses leading to appropriate ~~the customary~~ degrees and
21 adopt other rules necessary for the operation and management of the
22 Center ~~university~~.

23 "(b) The center ~~university~~ is subject to the authority of the ^{2/3}
24 Coordinating Board, Texas College and University System ~~as a~~
25 ~~general academic teaching institution.~~ "

26 SECTION 5. Section 111.39, Texas Education Code, is amended
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1 University of Houston-Clear Lake. The name of the University of
2 Houston-Downtown College is changed to the University of
3 Houston-Downtown.

4 (b) A reference in law or an appropriation to the former
5 name of one of the institutions whose name is changed by this Act
6 shall be considered to be a reference to the institution by the
7 name given by this Act.

8 SECTION 9. The importance of this legislation and the
9 crowded condition of the calendars in both houses create an
10 emergency and an imperative public necessity that the
11 constitutional rule requiring bills to be read on three several
12 days in each house be suspended, and this rule is hereby suspended,
13 and that this Act take effect and be in force from and after its
14 passage, and it is so enacted.

floor

AMENDMENT NO. 1

BY *J. S. King*

1 Amend C.S.S.B. 235 as follows:

2 (1) On page 1, line ² 42, strike "institution of higher
3 education" and substitute "center".

4 (2) On page 1, line ² 44, strike "institution" and substitute
5 "center".

6 (3) On page 1, lines ² 47 and ^{15,16,17} 48, strike "shall provide for
7 adequate physical facilities for use by the university and".

8 (4) On page 1, line ² 49, strike "university" and substitute
9 "center".

10 (5) On page 1, line ² 51, strike "the customary" and
11 substitute "appropriate".

12 (6) On page 1, line ² 53, strike "university" and substitute
13 "center".

14 (7) On page 1, line ² 54, strike "university" and substitute
15 "center".

16 (8) On page 1, lines ² 55 and ²⁴ 56, strike "as a general
17 academic teaching institution".

ADOPTED

FEB 17 1983

68R3328 SRC-D

1

L. S. King
Secretary of the Senate

*Floor Am. #1
2/17/83*

1-25-83

TP
PS

By: SHARP/BROOKS

S.B. No. 235

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the acquisition and disposition of land by the
3 University of Houston System; *amending Section 111.39, Texas Education*
4 *Code.* BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 111.39, Texas Education Code, is amended
6 to read as follows: .

7 *Section* 111.39. ACQUISITION AND DISPOSITION OF LAND. The board
8 may acquire by purchase, donation, or otherwise for the use of the
9 university any land and other real property necessary or convenient
10 for carrying out its purposes as a state-supported institution of
11 higher education, and may sell, exchange, lease, or otherwise
12 dispose of any land or other real property owned by or acquired for
13 the university. [~~However, the power of acquisition and disposition~~
14 ~~is restricted to the area within Harris County and the counties~~
15 ~~whose boundaries are contiguous to Harris County.] The proceeds
16 from any sale of land or other real property shall be added to the
17 capital funds of the university. No new institutions, branches, or
18 other operations of any kind shall be developed without specific
19 authorization by the legislature. "~~

20 SECTION 2. The importance of this legislation and the
21 crowded condition of the calendars in both houses create an
22 emergency and an imperative public necessity that the
23 constitutional rule requiring bills to be read on three several
24 days in each house be suspended, and this rule is hereby suspended, 1/2

S. B. No. 135

1 and that this Act take effect and be in force from and after its
2 passage, and it is so enacted.

1983 MAR 13 PM 2:40

HOUSE REPRESENTATIVE 1983 Engrossed

Patsy Spaw
Engrossing Clerk

I certify that the attached is a true and correct
copy of SB 235, which was
received from the Senate on FEB 21 1983 and
referred to the Committee on Higher Education

Beck J. McCreary
Chief Clerk of the House

By: Sharp, Brooks
Brown
(Armbrister)

S.B. No. 235

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the University of Houston System and the powers and
3 duties of its board of regents; providing for the creation of a new
4 university and changing the names of universities within the
5 system; amending Chapter 111, Education Code, as amended, by
6 amending Sections 111.01, 111.81, 111.90, and 111.39 and the titles
7 of Subchapters E and F and adding Subchapter G.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

9 SECTION 1. Section 111.01, Texas Education Code, is amended
10 to read as follows:

11 "Section 111.01. UNIVERSITY OF HOUSTON-UNIVERSITY PARK. The
12 University of Houston-University Park is a coeducational
13 institution of higher education located in the city of Houston on
14 state properties hereby designated University of Houston-University
15 Park."

16 SECTION 2. Section 111.81, Texas Education Code, is amended
17 to read as follows:

18 "Section 111.81. UNIVERSITY OF HOUSTON-CLEAR LAKE
19 [ESTABLISHMENT--LOCATION]. There is established in Harris County,
20 as recommended by the Coordinating Board, Texas College and
21 University System, a coeducational institution of higher education
22 to be known as the University of Houston-Clear Lake [at-Clear-Lake
23 City]. The university shall be located on land currently owned by
24 the University of Houston, either land acquired by donation under
25 Chapter 37, Acts of the 60th Legislature, Regular Session, 1967, or

1 land generally adjacent to that land and also owned by the
2 University of Houston."

3 SECTION 3. Section 111.90, Texas Education Code, as amended,
4 is amended to read as follows:

5 "Section 111.90. UNIVERSITY OF HOUSTON-DOWNTOWN
6 [~~ESTABLISHMENT;--LOCATION~~]. There is established in the City of
7 Houston a coeducational institution of higher education to be known
8 as the University of Houston-Downtown [~~College~~]. This institution
9 shall be located on land currently owned by the
10 University of Houston System."

11 SECTION 4. Chapter 111, Texas Education Code, is amended by
12 adding Subchapter G to read as follows:

13 "SUBCHAPTER G. UNIVERSITY OF HOUSTON-VICTORIA

14 "Section 111.96. ESTABLISHMENT; SCOPE. The board of regents
15 shall establish an upper-level center in the City of Victoria to be
16 known as the University of Houston-Victoria. The center shall be
17 organized to provide for the instruction of junior, senior, and
18 master's level students.

19 "Section 111.97. FACILITIES; GRANTS. The board of regents
20 may accept and administer gifts and grants for the use and benefit
21 of the center.

22 "Section 111.98. COURSES; ADMINISTRATION. (a) The board of
23 regents may prescribe courses leading to appropriate degrees and
24 adopt other rules necessary for the operation and management of the
25 center.

26 "(b) The center is subject to the authority of the

1 Coordinating Board, Texas College and University System."

2 SECTION 5. Section 111.39, Texas Education Code, is amended
3 to read as follows:

4 "Section 111.39. ACQUISITION AND DISPOSITION OF LAND. The
5 board may acquire by purchase, donation, or otherwise, for the use
6 of the University of Houston System or any institution or entity
7 under the governance, control, jurisdiction, and management of the
8 board, [university] any land and other real property necessary or
9 convenient for carrying out the [its] purposes of [as--a]
10 state-supported institutions [institution] of higher education.
11 The board[7-and] may sell, exchange, lease, or otherwise dispose of
12 any land or other real property owned by or acquired for the board
13 or any of the system institutions and entities [university].
14 ~~[However, the power of acquisition and disposition is restricted to~~
15 ~~the area within Harris County and the counties whose boundaries are~~
16 ~~contiguous to Harris County.]~~ The proceeds from any sale of land
17 or other real property shall be added to the capital funds of the
18 board or the system institutions or entities [university]. No new
19 institutions, branches, or other operations of any kind shall be
20 developed without specific authorization by the legislature."

21 SECTION 6. The title of Subchapter E, Chapter 111, Texas
22 Education Code, is amended to read as follows:

23 "SUBCHAPTER E. THE UNIVERSITY OF HOUSTON-CLEAR LAKE
24 [AT-CLEAR-LAKE-CITY]"

25 SECTION 7. The title of Subchapter F, Chapter 111, Texas
26 Education Code, is amended to read as follows:

27
e

1 "SUBCHAPTER F. THE UNIVERSITY OF HOUSTON-DOWNTOWN [E0B5B6E6]"

2 SECTION 8. (a) The name of the University of Houston is
3 changed to the University of Houston-University Park. The name of
4 the University of Houston at Clear Lake City is changed to the
5 University of Houston-Clear Lake. The name of the University of
6 Houston-Downtown College is changed to the University of
7 Houston-Downtown.

8 (b) A reference in law or an appropriation to the former
9 name of one of the institutions whose name is changed by this Act
10 shall be considered to be a reference to the institution by the
11 name given by this Act.

12 SECTION 9. The importance of this legislation and the
13 crowded condition of the calendars in both houses create an
14 emergency and an imperative public necessity that the
15 constitutional rule requiring bills to be read on three several
16 days in each house be suspended, and this rule is hereby suspended,
17 and that this Act take effect and be in force from and after its
18 passage, and it is so enacted.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 14, 1983

Honorable Carl A. Parker, Chairman
Committee on Education
Senate Chamber
Austin, Texas

In Re: Committee Substitute for
Senate Bill No. 235

Sir:

In response to your request for a Fiscal Note on Committee Substitute for Senate Bill No. 235 (relating to the University of Houston System) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill, if enacted, would change the names of the existing four components of the University of Houston System. The System plans to redo all its existing signs regardless of passage of this bill, so the sign changes would not result in additional costs to the institutions or the state.

Section 4 of the Committee Substitute statutorily establishes the University of Houston Victoria Center. The University of Houston System currently operates an upper-level university (that was created by the Coordinating Board in 1973 under authority of Attorney General's Opinion No. 365, 1969) on the campus of Victoria College. Section 4 legislatively authorizes the Victoria campus, thus giving it permanence and not subject to continued Coordinating Board approval for its existence. The proposed Section 111.97 instructs the board of regents to provide for adequate physical facilities and to accept and administer gifts and grants for the use and benefit of the university. Any gift of property or buildings used for educational and general purposes would be eligible for formula funding and would be a cost to the General Revenue Fund. Currently, utility costs, building maintenance, and custodial services are \$3.74 per square foot per year.

The University of Houston System is now limited, by law, in its power to acquire and dispose of land or other real property. The power is restricted to "the area within Harris County and the other counties whose boundaries are contiguous to Harris County." Section 5 of S.B. No. 235 would remove that restriction.

The fiscal implications of Section 5 would depend on future decisions of the System to acquire land in counties which are now restricted. The System is required by current law to obtain authorization of the Legislature before developing new institutions or branches. The only component of the System which has been established in the area outside of Harris County and the counties contiguous to Harris County is the University of Houston Victoria Center. The bill would permit acquisition of land and other real property for use by the Victoria Center, the cost of which cannot be estimated at this time.

The fiscal implications to local governments would depend on the taxable value of land that may be acquired, and thereby become exempt from local taxes, or disposed of to private owners who would return it to the tax rolls.


Jim Oliver
Director

Source: Coordinating Board; University of Houston System;
LBB Staff: JO, HS, JH, WRR, BL

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 8, 1983

Honorable Carl A. Parker, Chairman
Committee on Education
Senate Chamber
Austin, Texas

In Re: Senate Bill No. 235
By: Sharp/Brooks

Sir:

In response to your request for a Fiscal Note on Senate Bill No. 235 (relating to the acquisition and disposition of land by the University of Houston System) this office has determined the following:

The bill would make no appropriation of State funds.

The University of Houston System is now limited, by law, in its power to acquire and dispose of land or other real property. The power is restricted to "the area within Harris County and the other counties whose boundaries are contiguous to Harris County". S. B. No. 235 would remove that restriction.

The fiscal implications of the bill would depend on future decisions of the System to acquire land in counties which are now restricted. The System is required by current law to obtain authorization of the legislature before developing new institutions or branches. The only component of the System which has been established in the area outside of Harris County and the counties contiguous to Harris County is the University of Houston Victoria Center. The bill would permit acquisition of land and other real property for use by the Victoria Center, the cost of which cannot be estimated at this time.

The fiscal implications to local governments would depend on the taxable value of land that may be acquired and, thereby become exempt from local taxes, or disposed of to private owners who would return it to the tax rolls.


Jim Oliver
Director

Source: Coordinating Board
LBB Staff: JO, HS, AS

HOUSE

1983 MAR 28 PM 4:40
HOUSE OF REPRESENTATIVES

COMMITTEE REPORT

1st Printing

By: Sharp, Brooks
Brown
(Armbrister)

S.B. No. 235

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the University of Houston System and the powers and
3 duties of its board of regents; providing for the creation of a new
4 university and changing the names of universities within the
5 system; amending Chapter 111, Education Code, as amended, by
6 amending Sections 111.01, 111.81, 111.90, and 111.39 and the titles
7 of Subchapters E and F and adding Subchapter G.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

9 SECTION 1. Section 111.01, Texas Education Code, is amended
10 to read as follows:

11 "Section 111.01. UNIVERSITY OF HOUSTON-UNIVERSITY PARK. The
12 University of Houston-University Park is a coeducational
13 institution of higher education located in the city of Houston on
14 state properties hereby designated University of Houston-University
15 Park."

16 SECTION 2. Section 111.81, Texas Education Code, is amended
17 to read as follows:

18 "Section 111.81. UNIVERSITY OF HOUSTON-CLEAR LAKE
19 [ESTABLISHMENT, -LOCATION]. There is established in Harris County,
20 as recommended by the Coordinating Board, Texas College and
21 University System, a coeducational institution of higher education
22 to be known as the University of Houston-Clear Lake [at-Clear-Lake
23 City]. The university shall be located on land currently owned by
24 the University of Houston, either land acquired by donation under
25 Chapter 37, Acts of the 60th Legislature, Regular Session, 1967, or

1 land generally adjacent to that land and also owned by the
2 University of Houston."

3 SECTION 3. Section 111.90, Texas Education Code, as amended,
4 is amended to read as follows:

5 "Section 111.90. UNIVERSITY OF HOUSTON-DOWNTOWN
6 [ESTABLISHMENT;--LOCATION]. There is established in the City of
7 Houston a coeducational institution of higher education to be known
8 as the University of Houston-Downtown [College]. This institution
9 shall be located on land currently owned by the
10 University of Houston System."

11 SECTION 4. Chapter 111, Texas Education Code, is amended by
12 adding Subchapter G to read as follows:

13 "SUBCHAPTER G. UNIVERSITY OF HOUSTON-VICTORIA

14 "Section 111.96. ESTABLISHMENT; SCOPE. The board of regents
15 shall establish an upper-level center in the City of Victoria to be
16 known as the University of Houston-Victoria. The center shall be
17 organized to provide for the instruction of junior, senior, and
18 master's level students.

19 "Section 111.97. FACILITIES; GRANTS. The board of regents
20 may accept and administer gifts and grants for the use and benefit
21 of the center.

22 "Section 111.98. COURSES; ADMINISTRATION. (a) The board of
23 regents may prescribe courses leading to appropriate degrees and
24 adopt other rules necessary for the operation and management of the
25 center.

26 "(b) The center is subject to the authority of the

1 Coordinating Board, Texas College and University System."

2 SECTION 5. Section 111.39, Texas Education Code, is amended
3 to read as follows:

4 "Section 111.39. ACQUISITION AND DISPOSITION OF LAND. The
5 board may acquire by purchase, donation, or otherwise, for the use
6 of the University of Houston System or any institution or entity
7 under the governance, control, jurisdiction, and management of the
8 board, [university] any land and other real property necessary or
9 convenient for carrying out the [its] purposes of [as--a]
10 state-supported institutions [institution] of higher education.
11 The board[7--and] may sell, exchange, lease, or otherwise dispose of
12 any land or other real property owned by or acquired for the board
13 or any of the system institutions and entities [university].
14 [~~However,7--the-power-of-acquisition-and-disposition-is-restricted-to~~
15 ~~the-area-within-Harris-County-and-the-counties-whose-boundaries-are~~
16 ~~contiguous--to--Harris-County.~~] The proceeds from any sale of land
17 or other real property shall be added to the capital funds of the
18 board or the system institutions or entities [university]. No new
19 institutions, branches, or other operations of any kind shall be
20 developed without specific authorization by the legislature."

21 SECTION 6. The title of Subchapter E, Chapter 111, Texas
22 Education Code, is amended to read as follows:

23 "SUBCHAPTER E. THE UNIVERSITY OF HOUSTON-CLEAR LAKE
24 [AT-CLEAR-LAKE-CITY]"

25 SECTION 7. The title of Subchapter F, Chapter 111, Texas
26 Education Code, is amended to read as follows:

1 "SUBCHAPTER F. THE UNIVERSITY OF HOUSTON-DOWNTOWN [COLLEGE]"

2 SECTION 8. (a) The name of the University of Houston is
3 changed to the University of Houston-University Park. The name of
4 the University of Houston at Clear Lake City is changed to the
5 University of Houston-Clear Lake. The name of the University of
6 Houston-Downtown College is changed to the University of
7 Houston-Downtown.

8 (b) A reference in law or an appropriation to the former
9 name of one of the institutions whose name is changed by this Act
10 shall be considered to be a reference to the institution by the
11 name given by this Act.

12 SECTION 9. The importance of this legislation and the
13 crowded condition of the calendars in both houses create an
14 emergency and an imperative public necessity that the
15 constitutional rule requiring bills to be read on three several
16 days in each house be suspended, and this rule is hereby suspended,
17 and that this Act take effect and be in force from and after its
18 passage, and it is so enacted.

COMMITTEE REPORT

3-28-83

(date)

The Honorable Gib Lewis
Speaker of the House of Representatives

Sir:

We, your COMMITTEE ON HIGHER EDUCATION, to whom was referred S.B. 235 have had the same under consideration and beg to report back with the recommendation that it (measure)

- do pass, without amendment.
- do pass, with amendment(s).
- do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. yes no

An author's fiscal statement was requested. yes no

An actuarial analysis was requested. yes no

The Committee recommends that this measure be placed on the ~~(Consent)~~ or (Consent) Calendar.

This measure proposes new law.
 amends existing law.

House Sponsor of Senate Measure ARMISTRISTEN

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Delco, Ch.			X	
Colbert, V.C.	X			
Gibson, J., C.B.O.				X
Criss	X			
Gavin	X			
Hudson, D.	X			
Oliveira	X			
Price	X			
Rangel	X			

Total
7 aye
0 nay
1 present, not voting
1 absent

McKelvin Delco
CHAIRMAN
Reynolds
COMMITTEE COORDINATOR

BILL ANALYSIS

S. B. 235
By Sharp, Brooks, Brown
(Armbrister)

Committee on Higher Education

BACKGROUND - The University of Houston became a fully state supported institution of higher education in 1961. The University of Houston at Clear Lake City was established as an upper division component of the University of Houston in 1971. The University of Houston System was established in 1977 by the legislature and provided that all "those institutions and entities presently under the governance, control, jurisdiction, and management of the Board of Regents of the University of Houston" shall compose the University of Houston System. In 1979, the Texas Legislature established the University of Houston - Downtown College as a four year undergraduate institution under the control and management of the University of Houston System Board of Regents.

In 1973, the University of Houston began operation of the University of Houston Victoria Center - an upper division university created by the Coordinating Board - on the campus of Victoria College. This is the only University of Houston component that is located outside Harris County.

PURPOSE - S. B. 235 amends Sections 111.01, 111.81, 111.90, and 111.39 and the titles of Subchapters E and F and adding Subchapter G of the Texas Education Code. The bill changes the names of all four University of Houston System components, changes the status of the Victoria center and allows the University of Houston Board on its own volition to acquire and dispose of land or other real property outside of Harris County.

PURPOSE AND SYNOPSIS - S. B. 235 changes the names of the existing four components of the University of Houston System.

Section 4 of the bill statutorily establishes the University of Houston Victoria Center. The University of Houston System currently operates an upper-level university (that was created by the Coordinating Board in 1973 under authority of Attorney General's Opinion No. 365, 1969) on the campus of Victoria College. Section 4 legislatively authorizes the Victoria campus; however, under Subsection (b) of the bill, the Center continues under the authority of the Coordinating Board. The proposed Section 111.97 instructs the board of regents to provide for adequate physical facilities and to accept and administer gifts and grants for the use and benefit of the university. Any gift of property or buildings used for educational and general purposes would be eligible for formula funding and would be a cost to the General Revenue Fund.

The University of Houston System is now limited, by law, in its power to acquire and dispose of land or other real property. The power is restricted to "the area within Harris County and the other counties whose boundaries are contiguous to Harris County." Section 5 of S. B. 235 would remove that restriction.

RULEMAKING AUTHORITY - S. B. 235 does not delegate any new rulemaking authority to any state official, agency, or department.

EMERGENCY CLAUSE

SUMMARY OF COMMITTEE ACTION - Pursuant to a public notice posted on 3/22/83 at 4:35 p.m., S. B. 235 was heard in a public hearing on 3/28/83. The Committee voted 7 ayes, 0 nays, 1 present-not voting, 1 absent, to report the bill back to the Full House with the recommendation that it be placed on the Consent Calender and that it do pass.

Dr. Charles Bishop, President of the University of Houston System, testified in favor of S. B. 235.

No one testified against the measure.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

March 7, 1983

Honorable Wilhelmina Delco, Chair
Committee on Higher Education
House of Representatives
Austin, Texas

In Re: Senate Bill No. 235, as engrossed
By: Sharp, etal

Representative Delco:

In response to your request for a Fiscal Note on Senate Bill No. 235, as engrossed (relating to the University of Houston System) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill would change the names of the existing four components of the University of Houston System. The System plans to redo all its existing signs regardless of passage of the bill, so the sign changes would not result in additional costs to the institutions or the state.

Section 4 of the bill statutorily establishes the University of Houston Victoria Center. The University of Houston System currently operates an upper-level university (that was created by the Coordinating Board in 1973 under authority of Attorney General's Opinion No. 365, 1969) on the campus of Victoria College. Section 4 legislatively authorizes the Victoria campus, thus giving it permanence and not subject to continued Coordinating Board approval for its existence. The proposed Section 111.97 instructs the board of regents to provide for adequate physical facilities and to accept and administer gifts and grants for the use and benefit of the university. Any gift of property or buildings used for educational and general purposes would be eligible for formula funding and would be a cost to the General Revenue Fund. Currently, utility costs, building maintenance, and custodial services are \$3.74 per square foot per year.

The University of Houston System is now limited, by law, in its power to acquire and dispose of land or other real property. The power is restricted to "the area within Harris County and the other counties whose boundaries are contiguous to Harris County." Section 5 of the bill would remove that restriction.

The fiscal implications of Section 5 would depend on future decisions of the System to acquire land in counties which are now restricted. The System is required by current law to obtain authorization of the Legislature before developing new institutions or branches. The only component of the System which has been established in the area outside of Harris County and the counties contiguous to Harris County is the University of Houston Victoria Center. The bill would permit acquisition of land and other real property for use by the Victoria Center, the cost of which cannot be estimated at this time.

The fiscal implications to local governments would depend on the taxable value of land that may be acquired, and thereby become exempt from local taxes, or disposed of to private owners who would return it to the tax rolls.


Jim Oliver
Director

Source: Coordinating Board; University of Houston System;
LBB Staff: JO, HS, JH, WRR, EB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 14, 1983

Honorable Carl A. Parker, Chairman
Committee on Education
Senate Chamber
Austin, Texas

In Re: Committee Substitute for
Senate Bill No. 235

Sir:

In response to your request for a Fiscal Note on Committee Substitute for Senate Bill No. 235 (relating to the University of Houston System) this office has determined the following:

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

The bill, if enacted, would change the names of the existing four components of the University of Houston System. The System plans to redo all its existing signs regardless of passage of this bill, so the sign changes would not result in additional costs to the institutions or the state.

Section 4 of the Committee Substitute statutorily establishes the University of Houston Victoria Center. The University of Houston System currently operates an upper-level university (that was created by the Coordinating Board in 1973 under authority of Attorney General's Opinion No. 365, 1969) on the campus of Victoria College. Section 4 legislatively authorizes the Victoria campus, thus giving it permanence and not subject to continued Coordinating Board approval for its existence. The proposed Section 111.97 instructs the board of regents to provide for adequate physical facilities and to accept and administer gifts and grants for the use and benefit of the university. Any gift of property or buildings used for educational and general purposes would be eligible for formula funding and would be a cost to the General Revenue Fund. Currently, utility costs, building maintenance, and custodial services are \$3.74 per square foot per year.

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Jim Oliver
Director

Source: Coordinating Board; University of Houston System;
LBB Staff: JO, HS, JH, WRR, BL

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 8, 1983

Honorable Carl A. Parker, Chairman
Committee on Education
Senate Chamber
Austin, Texas

In Re: Senate Bill No. 235
By: Sharp/Brooks

Sir:

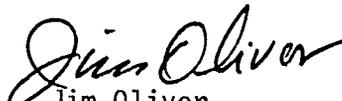
In response to your request for a Fiscal Note on Senate Bill No. 235 (relating to the acquisition and disposition of land by the University of Houston System) this office has determined the following:

The bill would make no appropriation of State funds.

The University of Houston System is now limited, by law, in its power to acquire and dispose of land or other real property. The power is restricted to "the area within Harris County and the other counties whose boundaries are contiguous to Harris County". S. B. No. 235 would remove that restriction.

The fiscal implications of the bill would depend on future decisions of the System to acquire land in counties which are now restricted. The System is required by current law to obtain authorization of the legislature before developing new institutions or branches. The only component of the System which has been established in the area outside of Harris County and the counties contiguous to Harris County is the University of Houston Victoria Center. The bill would permit acquisition of land and other real property for use by the Victoria Center, the cost of which cannot be estimated at this time.

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Jim Oliver
Director

Source: Coordinating Board
LBB Staff: JO, HS, AS

COMMITTEE REPORT

3-28-83

(date)

The Honorable Gib Lewis
Speaker of the House of Representatives

Sir:

We, your COMMITTEE ON HIGHER EDUCATION, to whom was referred S.B. 235 have had the same under consideration and beg to report back with the recommendation that it (measure)

- do pass, without amendment.
- do pass, with amendment(s).
- do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. yes no

An author's fiscal statement was requested. yes no

An actuarial analysis was requested. yes no

The Committee recommends that this measure be placed on the ~~(Insert)~~ or (Consent) Calendar.

This measure proposes new law.
 amends existing law.

House Sponsor of Senate Measure ARMSTRONG

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Delco, Ch.			X	
Colbert, V.C.	X			
Gibson, J., C.B.O.				X
Criss	X			
Gavin	X			
Hudson, D.	X			
Oliveira	X			
Price	X			
Rangel	X			

Total
7 aye
0 nay
1 present, not voting
1 absent

Michael Delco
CHAIRMAN
Reynolds
COMMITTEE COORDINATOR

BILL ANALYSIS

S. B. 235

Committee on Higher Education

By Sharp, Brooks, Brown
(Armbrister)

BACKGROUND - The University of Houston became a fully state supported institution of higher education in 1961. The University of Houston at Clear Lake City was established as an upper division component of the University of Houston in 1971. The University of Houston System was established in 1977 by the legislature and provided that all "those institutions and entities presently under the governance, control, jurisdiction, and management of the Board of Regents of the University of Houston" shall compose the University of Houston System. In 1979, the Texas Legislature established the University of Houston - Downtown College as a four year undergraduate institution under the control and management of the University of Houston System Board of Regents.

In 1973, the University of Houston began operation of the University of Houston Victoria Center - an upper division university created by the Coordinating Board - on the campus of Victoria College. This is the only University of Houston component that is located outside Harris County.

PURPOSE - S. B. 235 amends Sections 111.01, 111.81, 111.90, and 111.39 and the titles of Subchapters E and F and adding Subchapter G of the Texas Education Code. The bill changes the names of all four University of Houston System components, changes the status of the Victoria center and allows the University of Houston Board on its own volition to acquire and dispose of land or other real property outside of Harris County.

PURPOSE AND SYNOPSIS - S. B. 235 changes the names of the existing four components of the University of Houston System.

Section 4 of the bill statutorily establishes the University of Houston Victoria Center. The University of Houston System currently operates an upper-level university (that was created by the Coordinating Board in 1973 under authority of Attorney General's Opinion No. 365, 1969) on the campus of Victoria College. Section 4 legislatively authorizes the Victoria campus; however, under Subsection (b) of the bill, the Center continues under the authority of the Coordinating Board. The proposed Section 111.97 instructs the board of regents to provide for adequate physical facilities and to accept and administer gifts and grants for the use and benefit of the university. Any gift of property or buildings used for educational and general purposes would be eligible for formula funding and would be a cost to the General Revenue Fund.

The University of Houston System is now limited, by law, in its power to acquire and dispose of land or other real property. The power is restricted to "the area within Harris County and the other counties whose boundaries are contiguous to Harris County." Section 5 of S. B. 235 would remove that restriction.

RULEMAKING AUTHORITY - S. B. 235 does not delegate any new rulemaking authority to any state official, agency, or department.

EMERGENCY CLAUSE

SUMMARY OF COMMITTEE ACTION - Pursuant to a public notice posted on 3/22/83 at 4:35 p.m., S. B. 235 was heard in a public hearing on 3/28/83. The Committee voted 7 ayes, 0 nays, 1 present-not voting, 1 absent, to report the bill back to the Full House with the recommendation that it be placed on the Consent Calendar and that it do pass.

Dr. Charles Bishop, President of the University of Houston System, testified in favor of S. B. 235.

No one testified against the measure.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

March 7, 1983

Honorable Wilhelmina Delco, Chair
Committee on Higher Education
House of Representatives
Austin, Texas

In Re: Senate Bill No. 235, as engrossed
By: Sharp, etal

Representative Delco:

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The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

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Section 4 of the bill statutorily establishes the University of Houston Victoria Center. The University of Houston System currently operates an upper-level university (that was created by the Coordinating Board in 1973 under authority of Attorney General's Opinion No. 365, 1969) on the campus of Victoria College. Section 4 legislatively authorizes the Victoria campus, thus giving it permanence and not subject to continued Coordinating Board approval for its existence. The proposed Section 111.97 instructs the board of regents to provide for adequate physical facilities and to accept and administer gifts and grants for the use and benefit of the university. Any gift of property or buildings used for educational and general purposes would be eligible for formula funding and would be a cost to the General Revenue Fund. Currently, utility costs, building maintenance, and custodial services are \$3.74 per square foot per year.

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Jim Oliver
Director

Source: Coordinating Board; University of Houston System;
LBB Staff: JO, HS, JH, WRR, EB

CH 235

Enrolled April 18, 1983
Patsy Spaw
Enrolling Clerk

S.B. No. 235

AN ACT

relating to the University of Houston System and the powers and duties of its board of regents; providing for the creation of a new university and changing the names of universities within the system; amending Chapter 111, Education Code, as amended, by amending Sections 111.01, 111.81, 111.90, and 111.39 and the titles of Subchapters E and F and adding Subchapter G.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 111.01, Texas Education Code, is amended to read as follows:

"Section 111.01. UNIVERSITY OF HOUSTON-UNIVERSITY PARK. The University of Houston-University Park is a coeducational institution of higher education located in the city of Houston on state properties hereby designated University of Houston-University Park."

SECTION 2. Section 111.81, Texas Education Code, is amended to read as follows:

"Section 111.81. UNIVERSITY OF HOUSTON-CLEAR LAKE [~~ESTABLISHMENT, -LOCATION~~]. There is established in Harris County, as recommended by the Coordinating Board, Texas College and University System, a coeducational institution of higher education to be known as the University of Houston-Clear Lake [~~at Clear Lake City~~]. The university shall be located on land currently owned by the University of Houston, either land acquired by donation under Chapter 37, Acts of the 60th Legislature, Regular Session, 1967, or

CR 01

1 land generally adjacent to that land and also owned by the
2 University of Houston."

3 SECTION 3. Section 111.90, Texas Education Code, as amended,
4 is amended to read as follows:

5 "Section 111.90. UNIVERSITY OF HOUSTON-DOWNTOWN
6 [ESTABLISHMENT;--LOCATION]. There is established in the City of
7 Houston a coeducational institution of higher education to be known
8 as the University of Houston-Downtown [College]. This institution
9 shall be located on land currently owned by the
10 University of Houston System."

11 SECTION 4. Chapter 111, Texas Education Code, is amended by
12 adding Subchapter G to read as follows:

13 "SUBCHAPTER G. UNIVERSITY OF HOUSTON-VICTORIA

14 "Section 111.96. ESTABLISHMENT; SCOPE. The board of regents
15 shall establish an upper-level center in the City of Victoria to be
16 known as the University of Houston-Victoria. The center shall be
17 organized to provide for the instruction of junior, senior, and
18 master's level students.

19 "Section 111.97. FACILITIES; GRANTS. The board of regents
20 may accept and administer gifts and grants for the use and benefit
21 of the center.

22 "Section 111.98. COURSES; ADMINISTRATION. (a) The board of
23 regents may prescribe courses leading to appropriate degrees and
24 adopt other rules necessary for the operation and management of the
25 center.

26 "(b) The center is subject to the authority of the

1 Coordinating Board, Texas College and University System."

2 SECTION 5. Section 111.39, Texas Education Code, is amended
3 to read as follows:

4 "Section 111.39. ACQUISITION AND DISPOSITION OF LAND. The
5 board may acquire by purchase, donation, or otherwise, for the use
6 of the University of Houston System or any institution or entity
7 under the governance, control, jurisdiction, and management of the
8 board, [university] any land and other real property necessary or
9 convenient for carrying out the [its] purposes of [as--a]
10 state-supported institutions [institution] of higher education.
11 The board[7--and] may sell, exchange, lease, or otherwise dispose of
12 any land or other real property owned by or acquired for the board
13 or any of the system institutions and entities [university].
14 [~~However,7--the-power-of-acquisition-and-disposition-is-restricted-to~~
15 ~~the-area-within-Harris-County-and-the-counties-whose-boundaries-are~~
16 ~~contiguous--to--Harris-County-~~] The proceeds from any sale of land
17 or other real property shall be added to the capital funds of the
18 board or the system institutions or entities [university]. No new
19 institutions, branches, or other operations of any kind shall be
20 developed without specific authorization by the legislature."

21 SECTION 6. The title of Subchapter E, Chapter 111, Texas
22 Education Code, is amended to read as follows:

23 "SUBCHAPTER E. THE UNIVERSITY OF HOUSTON-CLEAR LAKE
24 [AT-CLEAR-LAKE-CITY]"

25 SECTION 7. The title of Subchapter F, Chapter 111, Texas
26 Education Code, is amended to read as follows:

18

1 "SUBCHAPTER F. THE UNIVERSITY OF HOUSTON-DOWNTOWN [COLLEGE]"

2 SECTION 8. (a) The name of the University of Houston is
3 changed to the University of Houston-University Park. The name of
4 the University of Houston at Clear Lake City is changed to the
5 University of Houston-Clear Lake. The name of the University of
6 Houston-Downtown College is changed to the University of
7 Houston-Downtown.

8 (b) A reference in law or an appropriation to the former
9 name of one of the institutions whose name is changed by this Act
10 shall be considered to be a reference to the institution by the
11 name given by this Act.

12 SECTION 9. The importance of this legislation and the
13 crowded condition of the calendars in both houses create an
14 emergency and an imperative public necessity that the
15 constitutional rule requiring bills to be read on three several
16 days in each house be suspended, and this rule is hereby suspended,
17 and that this Act take effect and be in force from and after its
18 passage, and it is so enacted.

LAee

S.B. No. 235

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 235 passed the Senate on February 17, 1983, by the following vote: Yeas 28, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 235 passed the House on April 14, 1983, by the following vote: Yeas 138, Nays 2, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

March 7, 1983

Honorable Wilhelmina Delco, Chair
Committee on Higher Education
House of Representatives
Austin, Texas

In Re: Senate Bill No. 235, as engrossed
By: Sharp, etal

Representative Delco:

In response to your request for a Fiscal Note on Senate Bill No. 235, as engrossed (relating to the University of Houston System) this office has determined the following:

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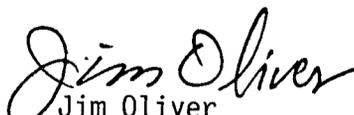
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Jim Oliver
Director

Source: Coordinating Board; University of Houston System;
LBB Staff: JO, HS, JH, WRR, EB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 14, 1983

Honorable Carl A. Parker, Chairman
Committee on Education
Senate Chamber

In Re: Committee Substitute for
Senate Bill No. 235

Austin, Texas

Sir:

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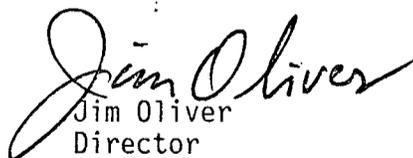
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Jim Oliver
Director

Source: Coordinating Board; University of Houston System;
LBB Staff: JO, HS, JH, WRR, BL

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

February 8, 1983

Honorable Carl A. Parker, Chairman
Committee on Education
Senate Chamber
Austin, Texas

In Re: Senate Bill No. 235
By: Sharp/Brooks

Sir:

In response to your request for a Fiscal Note on Senate Bill No. 235 (relating to the acquisition and disposition of land by the University of Houston System) this office has determined the following:

The bill would make no appropriation of State funds.

The University of Houston System is now limited, by law, in its power to acquire and dispose of land or other real property. The power is restricted to "the area within Harris County and the other counties whose boundaries are contiguous to Harris County". S. B. No. 235 would remove that restriction.

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Jim Oliver
Director

Source: Coordinating Board
LBB Staff: JO, HS, AS

relating to the acquisition and disposition of land by the University of Houston System

1-25-83 Filed with the Secretary of the Senate
JAN 26 1983 Read, referred to Committee on EDUCATION

Reported favorably.

FEB 10 1983 Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed.

FEB 17 1983 Senate and Constitutional Rules to permit consideration suspended by unanimous consent.
_____ years, _____ nays.

To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ years, _____ nays.

FEB 17 1983 Read second time and amended ordered engrossed.
passed to third reading.

FEB 17 1983 Caption ordered amended to conform to body of bill.

FEB 17 1983 Senate and Constitutional 3-Day Rules suspended by vote of 28 years, 0 nays to place bill on third reading and final passage.

FEB 17 1983 Read third time and passed by viva voce vote:
28 years, 0 nays.

OTHER ACTION:

Betsy King
Secretary of the Senate

Feb. 17, 1983 Engrossed
Feb. 21, 1983 Sent to HOUSE

Patsy Law
ENGROSSING CLERK

FEB 21 1983 Received from the Senate

FEB 28 1983 Read first time and referred to Committee on Higher Education

MAR 28 1983 Reported favorably amended, sent to Printer at 2:40
MAR 28 1983

MAR 28 1983 Printed and Distributed 4:40 pm

MAR 28 1983 Sent to Committee on Calendars consent 4:52 pm

APR 14 1983 Read Second time (amended): passed to third reading (failed)
by (Non-Record Vote) Record Vote of _____ years, _____ nays
_____ Present, not voting.

Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of _____ years _____ nays _____ present not voting.

APR 14 1983 Read third time (amended): finally passed (failed) by a (Non-Record Vote) Record Vote of 138 years 2 nays
1 present not voting.

Caption ordered amended to conform to body of bill.

APR 18 1983 Returned to Senate.

Betsy Murray
Chief Clerk of the House

APR 18 1983 RETURNED FROM HOUSE

1983 MAR 28 PM 4:40
HOUSE OF REPRESENTATIVES

94
25